

member, said annular flange extending radially away from said outer surface of said first tubular member and

a second tubular member forming a retaining collar used for retaining a thin film to said second end of said first tubular member, said second tubular member having a first end, a second end, and a frustoconically shaped inner surface which converges continuously from said first end to said second end so that when said first and second tubular members are assembled together to retain the thin film, said inner surface of said second tubular member will frictionally engage said outer surface of said first tubular member, and said first end of said second tubular member will abut against said annular flange;

whereby when said first and second tubular members are initially engaged with each other to assemble a sample receptacle, said second tubular member entraps a thin film placed between said inner surface of said second tubular member and said outer surface of said first tubular member and as said second tubular member becomes fully engaged with said first tubular member, said inner surface of the second tubular member grasps an overhanging portion of the thin film and progressively increases the tautness of a portion of the thin film which extends across the second end of the first tubular member.

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*Comp 14*  
~~226~~. (NEW) The device according to claim ~~25~~<sup>1</sup>, wherein said first end of said first tubular member is provided with an endwall, said endwall defining a centrally disposed reduced thickness region which is pierceable to permit atmospheric venting of said sealed sample receptacle.

~~321~~<sup>2</sup>. (NEW) The device according to claim ~~26~~<sup>2</sup>, further comprising a substantially cylindrical wall extending from said annular flange, said end wall and said substantially cylindrical wall defining a reservoir for containing heat sensitive liquid samples.

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28.(NEW). The device according to claim, wherein said second tubular member includes a circumferentially extending bead projecting from said inner surface adjacent said second end thereof which coacts with a circumferentially extending recess in said outer surface of said first tubular member adjacent said second end thereof, said bead engaging said recess when said first and second tubular members are fully assembled.

REMARKS

Claims 21-24 were pending in the application.

Claims 21-24 are rejected.

Claims 21-24 have been cancelled herein.

Claims 25-28 have been added herein.

Reconsideration of this application is respectfully requested.

I. 35 USC §103 REJECTION

Claims 21-24 are rejected under 35 USC §103 as being unpatentable over Solazzi '854. The examiner maintains his assertion that Solazzi '854 and the present invention differ only by the lack of any structure in Solazzi '854 which allows the annular collar of the receptacle member to engage the circumferential edge of the tubular member when forming a sealed sample receptacle. The examiner also maintains his conclusion that "[i]t would have been an obvious matter of design choice to modify the collar of Solazzi with a collar so that it would engage the circumferential edges of the tubular member, since such a modification would have involved a mere change in the size of the collar...In this case, a change in length of the collar of Solazzi, the structure being fabricated substantially of plastic would have been obvious to one of ordinary skill in the art, since plastic is recognized as a material which can be molded to any size, shape and length. The modified collar would have solved Applicant's overhang of extraneous film by increasing the